

### **REMARKS**

Claims 1-3, 6 and 8-11 are now pending in this application, of which claims 1 and 8 are in independent form.

Claims 1 and 2 have been amended, no additional claims have been canceled, and no new claims have been added. (Claims 4-5 and 7 were cancelled previously.)

#### **Objections to the Drawings**

The Office Action objected to drawings under 37 C.F.R. § 1.83(a) for failing to show every feature of the invention specified in the claims. Applicants respectfully submit that examples of the allegedly missing “plurality of assistant articles” are illustrated several times in the drawings as previously presented. For example, Fig. 1 illustrates “portable article 102 [which] is an article, such as glasses” having a high likelihood of being carried only by the owner. (PGPub 2004/0139020 A1, paragraph [0033]; Original specification, paragraph [0031].) Fig. 3 also indicates articles used for authentication. In particular, Fig. 7 unmistakably references a plurality of assistant articles. 37 CFR §1.83 requires that “conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation.” Applicants submit that articles “such as glasses” are “conventional features,” and that the references to articles in Figs. 1, 3, and 7 fulfill the requirement of the rule. Withdrawal of the objection to the drawings is earnestly solicited.

#### **Claim Rejections Under 35 U.S.C. § 112**

The Office Action rejects claims 1-3 and 6 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

Applicants do not concede the appropriateness of the §112 rejection of claims 1-3 and 6. However, in the interest of expediting prosecution, claims 1 and 2 have been modified to more clearly indicate that each assistant article for authentication holds at least an identical instance of authorization information. Withdrawal of the §112 rejection and reconsideration of claims 1-3 and 6 are respectfully requested.

### **Claim Rejections Under 35 U.S.C. § 103**

The Examiner rejects claims 1-3, 6 and 8-11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,070,141 issued to Houvener et al. (hereinafter "Houvener"), in view of U.S. Patent No. 6,687,823 issued to Al-Salqan et al. (hereinafter "Al-Salqan"), and in further view of U.S. Patent No. 6,400,272 issued to Holtzman et al. (hereinafter "Holtzman"). These rejections are respectfully traversed.

The Office Action indicates that the combination of Houvener, Holtzman and Al-Salqan discloses "a plurality of articles for authentication" which are "physically attached to a plurality of portable articles customarily carried by a right person." Applicants respectfully disagree.

Houvener discloses that a user provides a first identification information unit to an identifier who inputs the first identification information unit into a terminal. The first identification information is compared with a database from which, if a match is found, a second identification information unit is provided. (Houvener, col. 11, lines 44-62.) Houvener does not disclose that the second identification information unit is physically attached to a portable article customarily carried by a right person. Hence, Houvener does not disclose the above-identified features.

Holtzman also fails to disclose these features. Holtzman discloses a radio frequency identification device (RFID) which may be incorporated into an article carried by a user (e.g., key fob, etc). The RFID may provide information used for authorization to access secured information/area/etc. (Holtzman, col. ) Although, in Figure 1, Holtzman illustrates a plurality of RFIDs, Holtzman does not indicate that the RFIDs are associated with a right user or that they are used together for authentication of the right user. Nor are a plurality of RFIDs disclosed to be physically attached to portable articles customarily carried by a right person. (Applicants acknowledge that the RFIDs are disclosed to be contained in "cards, ... keychains, product containers," etc. But no association of a plurality of such with a right person is disclosed.) Moreover, Holtzman does not disclose that authorization information is received from a plurality of devices in order to certify a right person. Thus, Holtzman does not remedy the deficiency of Houvener.

Al-Salqan discloses use of a plurality of authentication tests to provide a user with access to secured data, applications, and/or systems. However, that authentication information is not received from a plurality of articles customarily carried by a right person. Al-Salqan discloses that, at most, a user may present a single “smartcard containing cleartext and/or encrypted responses or ‘keys’ to ... tests where each response may, but need not, correspond to passage of an authentication test.” (Al-Salqan, col. 6, line 64 to col. 7 line 1.) As with the other Office Action-cited references, Al-Salqan fails to disclose use of a plurality of authentication information instances physically held by a plurality of authentication articles customarily carried by a right person.

Accordingly, Applicants respectfully submit that the cited references do not disclose every feature of independent claims 1 and 8. In particular, the Office Action-cited references do not disclose a plurality of articles for authentication which are physically attached to a plurality of portable articles customarily carried by a right person. Dependent claims 2-3, 6, and 9-11 are believed to be in condition for allowance for at least the same reasons as their base claims, in addition to reciting further distinguishing features. Withdrawal of the § 103 rejection and reconsideration of the claims are respectfully requested.

### **CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact James C. Larsen, Reg. No. 58,565 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

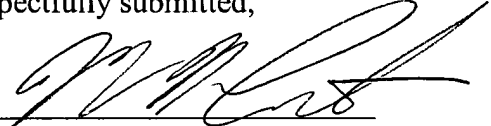
Application No. 10/733,400  
Amendment dated December 22, 2008  
Reply to Office Action of August 25, 2008

Docket No.: 3562-0132P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

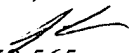
Dated: December 22, 2008

Respectfully submitted,

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